



CONGRESSIONAL RESEARCH SERVICE

THE CONGRESSIONAL RESEARCH SERVICE (CRS) is a policy research organization that has served Congress for more than eight decades by responding to requests with comprehensive analysis, research, and information services at all stages of the legislative process. CRS works exclusively and directly for Congress, providing services that are reliable, timely, objective, nonpartisan, and confidential. During fiscal 2002, CRS delivered nearly 800,000 research responses and services ranging from analysis and information accessed through the CRS Web site, to personal consultations and confidential memoranda, delivery of expert testimony, support for hearings and investigations, evaluation of data, examination of legislative options and proposed programmatic changes, and legal analysis.

During this fiscal year, CRS continued to work on its most critical challenges: building analytical capacity in areas of congressional concern; recruiting staff members to replace those who are retiring, while providing continuity in legislative support to Congress; adapting technology to meet the changing information needs of Congress; and improving the security and infrastructure of its information networks.

LEGISLATIVE ASSISTANCE

Congress requested assistance from CRS as it considered numerous issues pertaining to terrorism and homeland security in the aftermath of the September 11, 2001 (9/11), terrorist attacks. The following selected examples of CRS legislative support reflect those concerns as well as others related to domestic and international issues.

Terrorism and Its Aftermath

After the 9/11 terrorist attacks and subsequent anthrax incidents, much of the work of CRS focused on issues related to the U.S. global campaign against terrorism, including overseas programs to combat terrorism, funds for the war in Afghanistan, and subsequent humanitarian and reconstruction assistance. A CRS-wide response drew on senior experts



Analysts frequently brief members of Congress and congressional staff members on a wide range of public policy issues. (Photo by Jim Saah)



Each month, CRS receives thousands of research and analytical requests from Congress. (Photo by Jim Saah)

in all relevant fields to provide an interdisciplinary perspective. Building on a record of anticipating and analyzing the need for disaster preparedness, mitigation, response, and recovery, analysts provided an overall assessment of state, local, and federal responsibilities for responding to domestic terrorism. They identified strengths and weaknesses as well as alternative solutions to problems. More than one-quarter of CRS analysts were involved at some point during the year analyzing policy and legal issues raised by the antiterrorism effort and by preparations for possible military operations in Iraq. A team of analysts developed and continuously updated a comprehensive electronic briefing book, gave numerous briefings for members of Congress and congressional staff members, testified at hearings on terrorism issues, worked closely with intelligence committees, and wrote numerous reports on antiterrorism budget authorizations and appropriations and the threat of nuclear smuggling by international terrorists. CRS and the Law Library collaborated to present an analysis of antiterrorist policies by governments in Europe.

Other CRS analysts responded to congressional requests pertaining to the following critical infrastructure security and protection issues: oil and gas facilities; electricity infrastructure; possible targets of terrorism such as national monuments and chemical plants; agroterrorism; bioterrorism; environmental cleanup; security technologies; cyber attacks; and port, aviation, and other transportation safety and security issues.

The administration's order establishing military tribunals after U.S. antiterrorist activities in Afghanistan generated requests for legal analyses of the constitutional rights of people subject to military tribunals; precedents for the use of such adjudicatory mechanisms; and comparisons with procedural safeguards afforded defendants in federal, military, and international courts. Other legal questions pertained to the treatment of people detained by the military as "unlawful combatants" at the Guantanamo Bay U.S. Naval Base and in military custody in the United States, as well as to the background, structure, and jurisdiction of the International Criminal Court and the implications of the United States formally opting out of the court's jurisdiction.

Homeland Security

Congress turned to CRS for analytical support as it assessed the purpose and functions of a proposed Department of Homeland Security (DHS), reviewed sources of funding for homeland security, and considered implications of consolidating federal agencies to create that new agency. A team of analysts and information research specialists also addressed the many complex issues generated from a reorganization effort of this scope, including immigration concerns and the possible restructuring of several federal agencies into a Border and Transportation Security Division within the new agency, the sharing of intelligence information between the Central Intelligence Agency and the Federal Bureau of Investigation, and the risk assessment of the nation's critical infrastructure. Members of the CRS team also responded to questions about cost estimates, labor-management issues, and effects on other federal agencies. Support continued during congressional consideration of President Bush's June 2002 DHS proposal. CRS produced a side-by-side comparison of various homeland security proposals and a tracking report that provided a regularly updated overview of the multifaceted proposal as it underwent congressional scrutiny.

Those proposals raised major legal issues of reorganization authority and administrative law. Attorneys reviewed the range of laws that would be affected by creation of DHS such as those involving customs, natural disaster operations, whistle-blower protections, roles of inspectors general in the new DHS, and government procurement authorities. Other areas of concern to Congress were mechanisms to increase congressional oversight of the DHS and collective bargaining rights for employees and agencies transferred to that new department.

Iraq

As the possibility of U.S. confrontation with Iraq escalated in late summer 2002, CRS analyzed the perceived weapons threat posed by Iraq, U.S. efforts to change the Iraqi regime, past U.S. military confrontations with Iraq, both pro and con arguments concerning U.S. military action against Iraq, and the authorities and precedents related to the potential use of force against Iraq. Attorneys analyzed the respective roles of Congress and the president in declaring war, the authority granted by United Nations resolutions and previous congressional authorizations, and the preemptive use of force under international law.

Bioterrorism and Public Health Infrastructure

The 9/11 terrorist attacks and subsequent anthrax incidents focused the attention of Congress on the preparedness and response capabilities of the U.S. medical care systems

and public health infrastructure. In response to those needs, Congress passed the Public Health Security and Bioterrorism Preparedness and Response Act (Public Law [PL] 107–188), which the president signed into law in June 2002. CRS supported the legislative process by briefing congressional staff members on bioterrorism preparedness activities within agencies of the Department of Health and Human Services before the terrorist attacks; by tracking the allocation and distribution of fiscal year 2002 emergency appropriations for bioterrorism preparedness at the federal, state, and local levels; and by developing a detailed comparison of the provisions in the House and Senate bioterrorism legislation and in existing law.

Economic Impacts

CRS economists assisted Congress as it examined the nature, extent, and public policy implications of a mild recession and the continuing sluggishness in the nation's economy during fiscal 2002. They analyzed the effects of the 9/11 terrorist attacks on the economy and contributed to congressional evaluation of alternative proposals to ensure the continued availability of commercial property and casualty insurance for terrorism-related risk. CRS also examined the economic effects of federal spending on homeland security needs, evaluated financial issues and economic consequences from past American wars, and analyzed proposals to establish a “war bonds” program to finance antiterrorism activities.

Campaign Finance Reform and Election Administration

In fiscal 2002, Congress enacted the first significant change in the nation's campaign finance laws since the 1970s, the Bipartisan Campaign Finance Reform Act of 2002 (PL 107–155). A multidisciplinary team of analysts and attorneys continued the close support to members of Congress and their staffs that has characterized CRS efforts in this area for nearly a decade. The team prepared reports comparing key provisions of the Senate-passed bill with House alternatives and participated in almost daily telephone and personal briefings of members of Congress and their staffs as they sought information and comparative analysis of specific proposals. Congress used the CRS electronic briefing book on campaign finance reform to analyze both the multitude of floor amendments and the underlying issues in the debate.

Efforts to adopt sweeping reforms of the election process continued throughout the fiscal year. In anticipation of floor action, a CRS team developed an electronic briefing book that covered elections reform and provided a full range of analytical products. CRS analysts provided close support to both the House and Senate, analyzed many amendments to the bill, and prepared analytic comparisons of the bills. Congress continued to

call on CRS analysts and specialists for assistance in evaluating components of the conference report, including grant proposals, program auditing requirements, and performance measures. By the end of the fiscal year, work on a compromise version of the bill neared completion, and both houses appeared to be in agreement.

Corporate Governance and Accountability

In the wake of the sudden collapse of Enron, Global Crossing, WorldCom, and other corporations, plus the subsequent revelations of widespread malfeasance by those companies and their accounting firms, the American people looked to Congress for answers, and Congress turned to CRS for research. Analysts developed and prepared a range of products on the crisis in corporate integrity, and reviewed alternative proposals for reform legislation that ultimately resulted in the passage of the Sarbanes-Oxley Act of 2002 (PL 107–204).

CRS economists took the lead in assembling a team to cover the cluster of corporate bankruptcy issues arising from the collapse of Enron. They developed and maintained the relevant Web page and produced analyses of financial questions surrounding the Enron affair and reports on related policy questions. Those analyses included current practices and proposed reforms in the areas of derivatives regulation, accounting and auditing procedures and standards, auditor independence, stock analyst objectivity, and stock options accounting. The CRS analytic reports, which were continually updated, allowed comparison of reform bills as they moved through the legislative process.

Members of Congress also introduced numerous bills to protect workers from the financial losses that they risk when they invest a large proportion of their retirement savings in securities issued by their employers. At the request of Congress, one of CRS's major efforts on this issue was an examination of data for all defined contribution plans sponsored by 278 predominantly large firms. The analysis confirmed that the company stock in those plans was often concentrated in large, publicly traded corporations, and, on average, parent company stock made up more than a third of the assets in those firms' defined contribution plans. As fiscal 2002 ended, House and Senate committees reported bills on pension reform that were decidedly different from each other.

Elementary and Secondary Education

CRS analysts continued to support congressional consideration of the federal role in elementary and secondary education, which culminated in passage of the No Child Left Behind Act of 2001 (PL 107–110) reauthorizing the Elementary and Secondary Education Act of 1965. After passage of the act, attention turned to the implications of the law's new fund distribution formula provisions for states and local school districts, as well as

committee oversight of implementing regulations and guidelines by the Department of Education. At the request of committee staff members, analysts conducted numerous simulations of the new allocation formulas in the act by using alternative appropriations options. Analysts applied their knowledge of state assessment and accountability systems while helping committee staff members evaluate the proposed regulations, which would implement new testing and accountability requirements.

Energy

Senate consideration of omnibus energy legislation—the first in a decade—resulted in requests to CRS for assistance in many areas, particularly on the “renewable portfolio standard,” which requires the electricity sellers to include minimum levels of power generated from renewable energy sources. Other major energy-related issues were motor vehicle fuel economy, oil and gas development in the Arctic National Wildlife Refuge, proposed subsidies for an Alaska natural gas pipeline, nuclear accident liability, and global climate change. As debate on that legislation began in conference, CRS analyzed electric utility regulation, Alaska oil reserves, and hydroelectric relicensing. CRS also produced a side-by-side comparison of House and Senate versions of the legislation and detailed authorization tables for each bill.

Farm Bill

Congress called on CRS to assist during much of the fiscal year as it considered a comprehensive farm bill that will frame federal agriculture, agricultural trade, food, conservation, rural development, and research policies for the next six years. The forestry and water conservation provisions of this legislation will have a critical effect on natural resources, environmental policy, and agriculture. CRS maintained an electronic briefing book; helped with committee markups, floor debates, and hearings; and prepared briefings and analyses comparing legislative proposals. After enactment of the new farm law, the Farm Security and Rural Investment Act of 2002 (PL 107–171), CRS analysts created products describing the new law and began preparing for a seminar series on implementation issues.

Medicare and Prescription Drugs

Medicare legislation continued to be the focus of much congressional deliberation. Three major issues dominated the debate: the overall structural reform of the program, the addition of prescription drugs to the program’s covered benefits, and the extent to which payments to providers of health care services should be increased in future years. For each of those issues, CRS offered a broad range of services, including background and

analysis as well as information on specific concerns such as drug pricing policies for a new benefit and the interaction between a new Medicare drug benefit and coverage under Medicaid and state pharmaceutical assistance programs. Analysts worked closely with committees as committee members evaluated specific prescription drug proposals and implications of changes in Medicare payment policies for care providers. CRS experts helped assess options for general program reform by using an actuarial Medicare benefits model that estimates costs of change. Information research specialists reported on Medicare benefits for durable medical equipment and prosthetics, health insurance for the unemployed and uninsured, and physician payment in rural areas.

Trade

Congress requested CRS assistance with products, briefings, and testimony as it considered two major pieces of trade legislation: the Bipartisan Trade Promotion Authority Act of 2002 (PL 107–210) and proposed legislation on export administration. For both, CRS provided an analysis comparing Senate and House bills. CRS trade analysts also contributed to congressional oversight on such topics as negotiation of the Free Trade Area of the Americas, free trade agreements with Chile and Singapore, steel imports tariffs, and trade disputes with the European Union.

Welfare Reform

Congressional consideration of legislation to reauthorize the block grant program of Temporary Assistance for Needy Families (TANF) sparked the first major debate on welfare policy since the creation of TANF in the 1996 welfare reform law. CRS assistance included briefings, a comparison of House and Senate versions of welfare reform legislation, and a data system designed to describe variation in TANF programs among states. Analysts also produced quantitative analyses of the effect of various changes proposed by Congress and the administration so that families could participate in TANF if someone in the family worked.

TECHNOLOGY INITIATIVES

A key feature of continuing technology initiatives has been upgrading the CRS network, systems, and environment. The Technology Office made significant progress in upgrading the CRS technical infrastructure to improve its reliability and capacity to meet the research needs of Congress. The new infrastructure emphasizes collaborative computing, quantitative analysis, internal security, and disaster recovery. Critical during the year was the move of CRS production servers to the Information Technology

Services (ITS) server room, which ensured a more secure environment that includes fire protection with halon gas, improved electrical backup, and video surveillance.

Enhanced Online Access to CRS Analysts

CRS expanded the “Contact Experts” feature of its Web site with extensive lists of CRS analysts, specialists, attorneys, and research experts who deal with legislative issues of special interest to Congress. New lists cover creation of a Department of Homeland Security, Iraq–U.S. confrontation, and corporate financial integrity. CRS’s lists provide areas of expertise within an issue, plus the telephone numbers and e-mail addresses of CRS staff members.

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Multimedia Products

The CRS Web site enables Congress to access an array of CRS services and products. During this fiscal year, access was enhanced by offering live Webcasts of selected CRS programs and online access to recordings of seminars held throughout the year on two new Web pages: the Multimedia Library page and the Webcast page. The Webcast page provides access to live broadcasts of selected CRS seminars and briefings, plus edited recordings of previously held seminars with annotations allowing staff members to directly access the part of the programs in which they have an interest. At the end of the fiscal

year, the page provided access to nine seminars related to homeland security and terrorism, in addition to other topics as diverse as health insurance and missile defense.

Creation of the CRS Congressional Web Advisory Group

A comprehensive redesign of the CRS Web site was implemented in fiscal 2001, with client-centered principles and a strong commitment to client usability testing as its foundation. In fiscal 2002, the Congressional Web Advisory Group, which consisted of congressional staff personnel from the offices of member and committees of both chambers, was created to continue that work as new features were developed and as existing pages were refined. That group participated in usability and technical tests and offered feedback on newly developed CRS Web pages.

Security and Upgraded Infrastructure

Information security continued to be a major focus of CRS technological support. The security of CRS systems is crucial because of the nature of CRS’s confidential relationship

with Congress and the potentially sensitive nature of the information that CRS transmits or that resides in its electronic systems. Such security is paramount because of the structural network known as CAPNET that links CRS, the Library, and congressional systems through Capitol Hill.

Among developments in information security for fiscal 2002 were CRS's participation in regular interagency meetings about computer security. Those meetings were sponsored by the Federal Bureau of Investigation, the National Institute of Standards and Technology, and the High Technology Crime Investigative Association to review new threats to computer security and appropriate responses to those threats. CRS continued deployment of new and upgraded security systems, plus installing an e-mail scanning tool to block suspicious and infected e-mails. System design was enhanced to improve firewalls, to install an intrusion detection system, and to monitor the status of all software patches and upgrades.

Improvements in the Legislative Information System

Use of the Legislative Information System (LIS), the online retrieval system that provides Congress with accurate and timely information on bills and other legislative documents, was up 20 percent in fiscal 2002. Highlights of improved service included developing and testing a disaster recovery server for the LIS, installing software to detect inadvertent or unauthorized alteration of legislative files, and using a new LIS Alert service with e-mail notification of new bills introduced along with major changes in their status. The LIS team response to user requests to improve the search and display capabilities for bill data included enhancing the ability to search and display by state and district for sponsors and cosponsors, plus correcting and standardizing the names for all versions of bill text. The team also initiated efforts to preserve older legislative data, establish a framework and guidelines for preserving all LIS data, and organize a group of Capitol Hill Web masters for the first time so staff members from both chambers, the CRS, the Library, the General Accounting Office, the Government Printing Office, and the Architect of the Capitol could meet to share information and developments.

MANAGEMENT INITIATIVES

Besides the previously described legislative assistance and technology initiatives, CRS provides additional services dealing with management initiatives such as emergency preparedness, recruitment, and internal communications.

Emergency Planning

Immediately following the 9/11 terrorist attacks, the CRS director established a service-wide team to review the preparedness of CRS staff members in responding to such emergencies and to ensure continuity of service to Congress.

CRS created a Business Continuity Contingency Plan Team to ensure continued operations after an emergency that might affect its offices at the Madison Building of the Library of Congress. The plan, which provides a template for restoring operations after a destructive attack affecting the location of CRS and for resuming service to Congress, can be implemented independent of other legislative branch organizations but is tied closely to the Senate's continuity plans.

Much of the team focus was on information technology and the need to ensure continued access to networks, personal computers, e-mail boxes, shared databases, and other technologies that have revolutionized CRS work during the past fifteen years. At the same time, the plan emphasizes staff safety, compensation, and communications—both with CRS staff members and with stakeholders such as the congressional audience and the rest of the Library of Congress. The plan also covers security of working documents and the need for CRS to become fully operational within a limited time. In the event of a destructive attack, the plan envisions restoration of service in stages, with some key staff members working from new locations and most personnel working from home until additional work sites are available.

A CRS Emergency Planning Team was formed with representatives from each CRS division and office and a representative of the Congressional Research Employees Association (CREA), which is a labor union. The team reviewed and modified internal communications systems to inform all CRS staff members about emergencies, created an intranet devoted to emergency planning, and improved accessibility of senior managers during emergencies.

The team reviewed and worked with the Library's Emergency Evacuation Team Plan, created evacuation teams using the Library's guidelines, and attended Library-wide training. As part of this emergency preparedness, the team outlined responsibilities of the CRS evacuation team, reviewed exit signs, identified and purchased basic evacuation equipment such as bullhorns and lanterns, designated assembly areas for CRS by division or office, created a daily roll-call system to account for employees after emergency evacuations, and made accommodations for evacuating employees with special needs.

Recruitment and Selection

An important management initiative this fiscal year was implementation of the Library's new content-valid merit selection and hiring process. This new process intro-

duced several significant changes in the Library's previous hiring process, including increasing responsibilities for CRS managers and introducing a new online application system. In response to those changes, CRS realigned staff members and systems in its Office of Workforce Development and assumed many duties and responsibilities that were previously performed by the Library's central human resources infrastructure. In addition, senior CRS managers and staff members participated on various Library and CRS task forces and working groups related to the new merit selection and hiring process; seventy-four CRS managers and staff members served on job analysis panels; and thirty-four staff members participated in the Library's required training about structured interviews.

In a related action, CRS conducted a formal review of its analyst position descriptions and of the skills and competencies a person needs to perform the duties of a CRS analyst. The non-senior analyst job series is the largest in CRS, encompassing 46.8 percent of the total CRS professional and administrative staff positions. Accordingly, this effort required careful consideration and major coordination efforts among senior managers in all CRS research divisions.

Outreach

CRS continued its efforts to improve communication with Congress about the full range of CRS services. Several outreach publications were completed, including a new catalog that describes programs and seminars for congressional staff members. CRS also participated in the April House Services Fair, which offered an opportunity to acquaint hundreds of congressional staff members with information about CRS services. Throughout the fiscal year more than 6,000 congressional participants attended programs on the legislative process, the budget process, and the legal and public policy issues. A self-subscribe, Web-based system of program notification (listserv) was implemented to notify the congressional audience about CRS programs.

Internal Communication Initiative

By facilitating effective internal communications and openness in decision making, the CRS director identified as a strategic priority the need to reinforce the CRS culture of mutual respect, understanding, and commitment to the work of CRS as an agency. Recognizing the value and essential role of strong internal communications in fulfilling the CRS mission, the director launched an examination of internal communications to be followed by developing and implementing recommendations to address weaknesses while taking advantage of strengths. At the end of the fiscal year, the director endorsed a number of initiatives aimed at supporting effective two-way communication throughout CRS.